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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,633	01/30/2001	Jae-sik Hwang	Q62025	1330

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EXAMINER

USTARIS, JOSEPH G

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,633

Applicant(s)

HWANG ET AL.

Examiner

Joseph G Ustaris

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4 and 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to because Fig. 2 element 13-7 should be labeled as "WAP Gateway" in order to be consistent with the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 4 is rejected under 35 U.S.C. 102(e) as being anticipated by Alonso et al.

(US006184878B1).

Alonso et al. (Alonso) discloses a VOD system that uses satellite broadcast networks or "VOD services in a wireless network environment" (See Fig. 1; column 3 lines 29-36). The system includes a set-top-terminal (STT) or "VOD terminal" (See Fig. 1 element 42), a cable system head end or "wireless telecommunication service support server" that provides the services via satellite link or "providing wireless telecommunications services" (See Fig. 1 element 30), and a "VOD server for providing predetermined video and voice services to the VOD terminal" (See Fig 1. elements 36 and 42). The system performs the method of:

- A. Allowing the user to "select in the VOD terminal a VOD service menu" that is connected to the cable system head end or "wireless telecommunications service support server" (See column 1 lines 46-53; column 3 lines 35-40),
- B. the VOD server "provides predetermined information related to a VOD item provided by the VOD server, to the VOD terminal in response to the selection" (See column 4 lines 39-47), and
- C. "receiving a VOD service in the VOD terminal using the predetermined information" (See Fig. 1 VOD and SST; column 4 lines 39-47).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alonso et al. (US006184878B1).

Regarding claim 1, Alonso et al. (Alonso) discloses a VOD system that uses satellite broadcast networks or "VOD services in a wireless network environment" (See Fig. 1; column 3 lines 29-36). The system includes a set-top-terminal (STT) or "VOD terminal" (See Fig. 1 element 42) that inherently displays available videos or movies from the VOD system or "displays predetermined video information", a cable system head end or "wireless telecommunication server" that provides the services via satellite link or "provides predetermined wireless telecommunications service menu for selection by the VOD terminal" (See Fig. 1 element 30; column 1 lines 46-53; column 3 lines 35-40), a "VOD server which provides service information related to a VOD item, selected by the VOD terminal from the service menu provided by the wireless telecommunications server" (See Fig 1. elements 36 and 42; column 4 lines 39-47), and a computer or "converter" that "converts predetermined content, input through a network connection" (See Fig. 1 elements 32 and 10; column 4 line 64 – column 5 line 4). The computer converts the "content" into "a predetermined format to be stored in the VOD

server" (See Fig. 1 elements 35 and 38; column 5 lines 2-4, lines 16-18). However, Alonso does not disclose an "encoder which encodes predetermined content, input from outside the VOD server, into a predetermined format to be stored in the VOD server".

Official Notice is taken that it is well known to use encoders to encode "content" for storage. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the cable system head end disclosed by Alonso to include an encoder to encode "content", that is inherently inputted from "outside the VOD server", into "a predetermined format to be stored in the VOD server" in order to provide a more secure means of storing within the VOD system.

Regarding claim 3, the "VOD server" is "formed by a plurality of simultaneously-operating servers" (See Fig. 1 elements 32, 34, 35, 36, and 38), where inherently any "content" inputted would pass through either the "encoder and the converter" as discussed in claim 1 above. Furthermore, inherently "predetermined VOD information providers" can access the VOD server in order to provide the latest movie selections for the users.

Regarding claim 5, Alonso does not disclose a method where the "the VOD terminal sends a stop command when the VOD terminal uses the VOD service, the VOD server stops providing the VOD service".

Official Notice is taken that VCR-like controls are well known in VOD systems. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the VOD system that includes the STT and head end disclosed by Alonso to include VCR-like controls, i.e. stop command where inherently

the VOD server would stop providing the service, in order to expand the capabilities of the VOD system and to provide more user control over the services.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alonso et al. (US006184878B1) as applied to claims 1, 3, and 5 above, and further in view of Haugli et al. (US005991279A).

Alonso discloses a video store or "first storage unit" that stores "predetermined VOD information" that is inherently inputted from "outside the VOD server or through the network connection" (See Fig. 1 elements 38 and 10). However, Alonso does not disclose (1) a "common gateway interface which converts the predetermined VOD information stored in the first storage unit into information for wireless telecommunications and (2) a second storage unit which stores wireless telecommunications information output from the common gateway interface".

Haugli et al. (Haugli) discloses a wireless packet data distributed communications system that transmits data on-demand. The system utilizes a data converter or "common gateway interface" that converts the data into a format suitable for satellite transmission or "into information for wireless telecommunications" (See Fig. 7 element 401; column 16 lines 22-30). Furthermore, the converted data is then stored in a buffer or "stores wireless telecommunications information output from the common gateway interface" (See Fig. 7 element 402). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the cable system head end disclosed by Alonso to include (1) a data converter or "common

gateway interface" which "converts the predetermined VOD information stored in the first storage unit into information for wireless telecommunications" and (2) a buffer or "a second storage unit which stores wireless telecommunications information output from the common gateway interface", as taught by Haugli, in order to provide a more efficient means of transporting data through the satellite link thereby reducing the response time to a user's request.

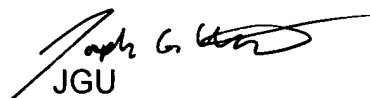
Conclusion


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please take note of Fell et al. (US006674994B1) and Li et al. (US006543053B1) for their similar use of wireless networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph G Ustaris whose telephone number is 703-305-0377. The examiner can normally be reached on M-F 7:30-5PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew I Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JGU
September 13, 2004


VIVEK SRIVASTAVA
PRIMARY EXAMINER